

THE DAILY HERALD.

Salt Lake City, Utah.

SUNDAY, OCTOBER 24, 1886

SALT LAKE ORE MARKET.

Furnished daily by McCormick & Co., Bankers.

SALT LAKE CITY October 23.	
SILVER.	
In New York.	96 1/2 per oz.
In Salt Lake.	96 1/2 per oz.
In London.	45 1/2 per oz.
ADAM.	
In New York.	\$4.05 per 100 lb.
In Salt Lake.	\$4.00 per ton

LOCAL BRIEFS.

THE WESTERN Union has a telegram for Mrs. G. W. Newsom.

THE TWENTY-FIRST Ward Sunday School anniversary occurs to-day.

DANIEL F. PORTER, a native of New Brunswick, was admitted to citizenship yesterday.

COFFEE JOHN announces a reduction in his can oysters from 50 cents to 40 cents, as heretofore.

MCCORMICK & Co. yesterday received: Hanover bullion, \$7.785; Stormont bars, \$2.740. Total, \$10.565.

THE ELVENTH QUORUM of Elders will meet at the Twenty-first Ward meeting house to-morrow at 7.30.

WELLS, FAROE & Co.'s shipments yesterday were: base bullion, \$1,500; fine bars, \$1,721.21. Total, \$3,221.21.

THE SUIT of Matthew Orr vs. John T. Rich et al. was argued and submitted in the Third District Court yesterday.

IN THE Third District Court yesterday the motion of plaintiff for judgment in the case of John W. Enright et al. vs. Richard Grant was granted.

GEORGE SKELGROVE, with S. P. Teasdel, was among the happy men yesterday, his wife having presented him with a bounding brunette at about 8.30 o'clock in the morning.

THE DEATH of Mr. Morse yesterday gave rise to some conflicting rumors, a good many people having it that Jake Morris had died, and still others that it was Elias Morris.

A MAMMOTH moose's head, the owner of which was killed on Gibbons' Battle Ground, near the Big Hole placers Montana, attracted considerable attention at Geo. M. Scott & Co.'s yesterday.

Mrs. SARAH BASSETT requests us to correct the statement that her testimony against Mr. Bassett was "given eagerly." It was given in compliance with the law which compels a witness to testify to the truth.

SEVERAL DEATHS from diphtheria have been reported from Mill Creek, where the disease has before played great havoc. It is said that a family by the name of Cook have lost several children—one 8 years of age yesterday.

THE FUNERAL of Henry W. Morse will take place from residence of deceased, 975 E. Fourth South Street, to-day, at 2.30 p.m., under the auspices of the A. O. U. W. Visiting brethren of the order are invited to meet at the hall at 1 p.m.

THE TRENCHEES for the pipes of the water works extension have now reached as far as the corner of M. and Sixth Streets, nearly to the Cemetery. All that is now delaying the turning in of the water is the non-arrival of a carload of pipe needed to make connection in the canyon.

MR. C. WANLESS, stove dealer, on Second South Street, a few doors west of the Opera House, has an announcement in THE SUNDAY HERALD that should command attention. He says you squander money if you purchase stoves without first examining the large stock carried by him, which he offers at "prices lower than the lowest."

THE HABEAS CORPUS case of Lorenzo Shaw, came up before Judge Zane yesterday, and was argued by Messrs. Sheeks and Richards on the part of the petitioner, and by Mr. Varian on the part of the government. The motion was overruled by Judge Zane, and an exception taken by the defense. The case will be carried to the Supreme Court of the United States.

THE ADVERTISEMENT of Fraser & Chalmers, manufacturers of mining machinery, and machinery for the systematic reduction of ores by amalgamation, concentration, leaching and leaching, appears in THE HERALD to-day. L. C. Trent, at 7 W. Second South Street, is the general western manager. Mill and mining men will do well to see Mr. Trent when in need of machinery.

J. S. HARRISON, whose address is Teunyon postoffice, Warwick County, Indiana, desires to hear from Alice Davis, her mother, or some of her brothers or sisters. She is supposed to be clerking in a store in this city. Her mother's maiden name was Emma Crompton, who married John Davis, who separated from her and went back to the States some fifteen or sixteen years ago. Mr. Harrison can give the family some valuable information.

ONE of the finest pianos ever brought to this city, has just been received at D. O. Calder's Music Palace, it having arrived yesterday morning. It is a Steinway upright, rosewood case, and contains all the latest improvements, being up to date in every particular. It is certainly a handsome instrument, and is as beautiful in tone as in outward appearance. It was greatly admired by several musicians yesterday.

MR. EVAN STEPHENS (of the N. E. Conservatory, '85-'86) is full of occupation at his home in Salt Lake City. He has charge of the department of vocal music in the University, and of a class of school teachers of the county, who are thus preparing to teach music in the public schools. Besides this he has a chorus of 500 or 600 children, and, by this time, probably some hundreds more, including adults who study night-singing. He is making himself nobly useful, and we wish him success.—Boston Musical Herald.

The "Occidental."

No. 15, E. First South Street. Pure goods only, and of the best quality. Hammer & verages concocted in the highest style of art. Family supplies a specialty.

ATLAS & MURPHY Proprietors.

GRITS' Pants to order at a great saving at Auerbach's Mammoth Establishment.

ESSEX Cheese, French Peas, Prepared Ginger, at G. F. CULMER & BROS.

DETERMINED TO DIE.

Old Man Bailey Twice Attempts to Hang Himself.

George Bailey, the old man who has so frequently been in jail on the charges of drunkenness and general cussedness, was arrested again yesterday morning at about 9.30, and taken to his old haunts in the city jail. He was not very full this time, and when court opened at 10 o'clock, the officer who went into the jail, to bring out the unfortunates who had been gathered in the night before, found the old man hanging from the upper bunk, attached to a piece of old rope, that had been left lying around the cell. He was black in the face, and gave every appearance of being dead beyond the hope of recovery. He was cut down by the officer and fell heavily to the floor. When he was dragged into the light, Dr. Clinton was called and succeeded in restoring the old fellow to consciousness, although there is no doubt but that Bailey had a close call. A couple of hours later, he made a second attempt upon his life, but the prisoners spoiled his little game. At 2 o'clock he was brought into court to answer to the charges of drunkenness and disturbing the peace—and for making two attempts upon his own life.

THE JUDGE—What was your object, Mr. Bailey, in endeavoring to hang yourself?

A—I did not know that I did.

THE JUDGE—Why, of course you did; didn't I cut you down?

A—Family troubles, your honor—family troubles. You see me family is not doing the right thing with me, and—Q—Well, do you think you are doing the right thing by your family in drinking and otherwise carousing?

A—O, sir, I know that—but I've troubles at home—I have a daughter—Q—How old are you?

A—Sixty-seven years last September.

THE JUDGE—Well, it is not a pleasant thing to see a man of your age brought here so often and in such a condition, and this is not the first attempt you have made upon your life.

Bailey—Well, I know it, your honor, and if you will suspend sentence this time, I will get out of town. I will go to Logan or somewhere else; give me until this evening or to-morrow morning, and I will go away; I am sure I will, and never bother you any more.

THE JUDGE—Well, under the circumstances, I am willing to suspend sentence, but if you are found within the city limits after 2 o'clock on Sunday, you will be arrested and brought in, when sentence will be pronounced again.

And the old man gathered up his battered old life and departed.

IN THE POLICE COURT.

The List of Miserables Before the Bar Yesterday.

The two individuals who were arrested the other morning charged with destroying property of the D. & R. G., were liberated yesterday, the railroad company refusing to prosecute them, though for what reason was not developed. It will be remembered that the boys claimed they had given the brakeman \$1 if he would permit them to ride in a freight car, which was afterwards locked on them, when they cut a hole in the door and withdrew the bolt. It is understood that the brakeman has received an Irish promotion.

Ed. Tolhurst, the youth who had been convicted of defacing and destroying portions of the Synagogue fence, was arraigned for sentence yesterday, and fined \$10. In inflicting the sentence the Judge took occasion to indulge in a severe reprimand to the boy, remarking that in such cases in the past it had been customary to suspend sentence during good behavior, but he had almost been convinced that the policy was a wrong one.

Such practices as a defendant had indulged in, must be stopped; the property of citizens must be protected, even though harsh measures were necessary.

Martin Mainaine, a soldier, charged with drunkenness, disturbing the peace, resisting the officers, and general disturbance, was turned over to the military authorities.

Stephen Leybourne, a plain drunk, paid \$5.

Dr. W. P. Wood, arrested on the charge of drunkenness, was unfortunately enough to have the charge proven, and was fined \$10.

A suit passed over the faces of those present when P. D. Sprague, the hackman, again made his appearance in court—this time, however, he was merely charged with trespass on the property of the railroad company. His offense, however, was not very serious this time, being confined mainly to soliciting custom inside of the "white line," and sentence was suspended during "good behavior."

Auction! Auction!

On Monday, October 25, at 11 a.m., on 24 S. West Temple Street, comprising Bedroom Set, Wardrobe, Extension and Centre Tables, Camp and Cane Rockers, Carpets, Window Poles and Curtains, Fine Lounge, Cook and Heating Stoves, Hanging Lamp, Silver, Glass and Crockery Ware, &c. &c.

ANDREWS & WHITELEY, Auctioneers.

WE PUBLISH to-day a list of merchants as handling the Colorado Soap Co.'s celebrated Glycerine Soap. Parties desiring the soap can obtain it at any of the following stores: Remington, Johnson & Co., Culmer Bros., J. Johnson, Mrs. Z. G. Eardley, E. S. Davis, B. Brooks & Brown, Horace Drake, Mrs. E. McDonald, Isaac Sears, C. B. Durst, M. Tobias, E. L. Price, J. H. Clive, Daniel Greening, Mrs. Waterfall, James Poulton, Woolley Bros., H. T. Evans, John Wayman, A. Glenn, Alex. Olsen, Rogers & Wiscombe, E. Woodford, Mrs. Langstroff, James Lucas, J. F. Wayman, Winter & Jenn. J. C. Sudbury, J. C. Evans, 15th Ward, R. Brimley, Mrs. May Pettit, W. B. Wilkinson, Lucas & Goddard Bros., T. C. Patten.

FINEST Bloater Mackerel ever brought to Utah at G. F. CULMER & BROS.

BUCKWHEAT FLOUR and Maple Syrup at G. F. CULMER & BROS.

THE TEACHERS' MEETING.

The Interesting Programme of the Association Yesterday.

The Salt Lake County Teachers' Institute held its regular session yesterday, in the Fourteenth Ward Assembly Rooms, with Vice-President D. R. Allen in the chair, when the following programme was carried out:

Minutes of October 9th were read and approved.

Miss Rachael Edwards explained how she teaches primary physiology. The pictures in the text book appear strange to the child, and create a desire to know something about them. The lady then assigns a few paragraphs for the pupils to copy and read in the class, questioning them upon the more important points to see that they comprehend the matter of the lesson.

Miss Bessie Dean sang a song in her most pleasing style.

"How do you prevent the use of bad language upon the school grounds," was answered by Miss Emma Finch. The lady's plan is to associate with her pupils on the play-ground, and to require them to go home immediately after school, thus preventing to a great extent, opportunities for this evil practice.

Questions were asked and answered by members of the Institute.

The chairman of the committee on "Reading Circles," Superintendent Wm. Stewart, stated that the committee had decided to organize eight circles in Salt Lake County, with the following members in each:

No. 1 Reading Circle—M. F. Eakle, D. B. Richards, A. M. Woolley, Anna Thomas, J. J. Walton, Mary Hilaum, J. B. Stewart and Annie Lynch.

No. 2—W. F. Smith, B. W. Ashton, H. Van Dam, M. E. Randall, Sarah Eddington, A. S. Kendall and Assistant.

No. 3—T. F. Howells, Ruth A. Reese, T. Lewis, Rachel Edwards, A. S. Geddes, Annie McGhie, Maggie Crismon and M. A. Reeves.

No. 4—C. F. Wilcox, R. A. Shipp, Emma Finch, Bessie Dean, M. E. Pack, Jessie Grieves, C. M. Sorenson and C. H. Neilson.

No. 5—D. R. Allen, J. B. Moreton, Cecelia Sharp, Wm. M. Stewart, M. E. Schutt, Henry Schutt, Mabel Young and A. H. Timms.

No. 6—J. D. Cummings, Nellie Spencer, John Cardall, N. Bowden, Wm. Shipley and Clara Snedaker.

No. 7—G. M. Mumford, Wm. Bradford, H. G. Bradford, Marjorie Alston, Jas. Woods, Vickie Clayton, Thomas Walke and Lizzie Cutler.

No. 8—C. C. Crapo, Alice Steers, Edward Orgill, Thomas Vawdrey, H. A. Smith and W. D. Hufaker.

Meeting adjourned for two weeks.

C. M. SORENSON, Secretary.

A WOMAN FOUND DEAD.

She Falls in a Fit and Perishes in a Small Ditch.

On Friday afternoon, Anna Maria Soderman, a Swedish woman aged 30 years, who was working for a family named Oleend, in South Cottonwood, left the house to go to the ditch near by for a bucket of water. As some time elapsed without her return, search was made for her, and she was found with her head and shoulders lying in the ditch, all signs of life departed from her body. A coroner's inquest was held before Justice Bradford, and from the evidence brought out, the jury returned a verdict that deceased came to her death by having fallen into the stream while in a fit. She is said to have been an industrious worker, and had saved some \$200 by her labors, expecting shortly to marry some young man now at work in the north. Her funeral occurs to-day.

BISHOP R. M. KIRBY.

The Convention Elects Him for This Jurisdiction.

A dispatch was received in this city yesterday by Mr. Geo. Y. Wallace from Bishop D. S. Tuttle, Chicago, stating that the triennial convention of the Protestant Episcopal Church now in session at that place had just elected the Rev. R. M. Kirby, bishop of this jurisdiction. The news spread rapidly here and was received with general satisfaction on all hands. A dispatch of congratulation signed by a long list of prominent people was sent over the wires last evening.

Nationals' Ball.

Friday night last the "Nationals" gave a very pleasant social in Jennings Hall. A large number attended and thoroughly enjoyed it. The music, which was excellent, was furnished by Prof. Magnus Olsen and his able assistants.

ANOTHER lot of stylish Boy's and Youth's Clothing at AUERBACH'S.

Twenty-three Gold Medals

Denhalter & Son are importers and sole agents for the celebrated Dows Ginger Ale.

CLEARANCE SALE of 2,000 Jerseys from 50 cents upwards, at SIMON BROS.

Furniture.

We will sell furniture, etc., cheaper than any house in the west. Bed Room Sets, \$30. BARRATT BROS.

SIMON BROS. offer an All Wool Misses Jersey for 75 cents.

Potatoes.

Parties having potatoes for sale will do well to see Bailey & Son at once.

On Time.

No housewife need ever be late for dinner and no husband ever cross if you use the "On Time" stove. C. Wanless, 50 W. Second South Street.

Madam Prosser.

Opened at 55 W. First South Street, a first-class French Millinery Store. Order made a specialty. Call and convince yourself.

F. AUERBACH & BROS.'s Shoe Department is always crowded—they sell the best goods at reasonable prices, and warrant every pair first class.

TAKEN UNDER ADVISEMENT.

A Motion to Dismiss to be Decided To-morrow.

The case of P. L. Williams vs. Wm. M. Stewart, Superintendent of Schools for Salt Lake County, came up before Judge Zane yesterday. Mr. Williams, who appeared in his own behalf, desired to know what the intention of Mr. Stewart was with reference to the writ of mandamus requiring him to report to Mr. Williams as Territorial Superintendent of District Schools.

Le Grande Young replied that he was ready on behalf of Mr. Stewart, to argue the latter's motion to dismiss the case, which was as follows:

In the District Court of the Third Judicial District of the Territory of Utah, County of Salt Lake.

P. L. Williams, Territorial Superintendent of District Schools for Utah Territory, Plaintiff,

vs.

William M. Stewart, Superintendent of District Schools for Salt Lake County, Utah Territory, Defendant.

Now comes the said defendant, William M. Stewart, superintendent as aforesaid, and appears in this case for the purpose of this motion, and none other, and moves this Honorable Court to dismiss the case, and to hold the pretended service made upon this defendant for naught, for this, that the said petitioner, as well as the United States Marshal, failed and neglected to serve upon this defendant a copy of the petition or affidavit of said plaintiff; and this defendant further shows to this Honorable Court, that all the summons of service made upon him was a copy of its order, which said copy is hereto attached and made a part of this motion.

Petitioner further represents to this Hon. Court, that he in no wise wishes to disregard its orders herein or otherwise, and makes this appearance to respectfully test this question of this service, and asks that in case such service be held valid and good, he is allowed to file a demurrer and answer to the order of this Hon. Court, and to the petition of the petitioner.

WM. M. STEWART.

We hereby certify that the said defendant's objection is well taken in our opinion.

F. S. RICHARDS, LE GRANDE YOUNG, SHEEK & RAWLINS, Attorneys for defendant.

Mr. Young stated that the ground of the motion to dismiss the service on Mr. Stewart, was that no copy of the complaint was served on him. The writ of mandate commanding him to report to Mr. Williams, alleged Territorial Superintendent, had been alone served. On this point the statute said that in papers of this character, the writ should be served in the same manner as a summons in a civil case. In these cases it was provided that a certified copy of the complaint must be served with the summons. The defendant was not required to answer the order of the court, but the allegations in the petition for the writ, and unless served with a copy of the petition, could not answer the allegations therein.

P. L. Williams argued that this was not a civil action, for the protection of private rights, or the redress of private wrongs. The action was to subvert a public want, and the writ was directed against a public officer. Under this view the writ of mandate stood in the place of the complaint. It stated generally the allegations against the party, and it was that the defendant should make answer to.

Mr. Young replied, and the court took the matter under advisement until to-morrow at 10 o'clock.

PERSONAL.

HON. P. T. FARNSWORTH still lingers in the city.

DOW CHAFFIN, of Farmington, is in the city again.

RICHARD HOWE, of South Cottonwood, is in town.

J. E. ROBINSON, of Farmington, was in town yesterday.

RICHARD DUREN, of Bountiful, was in the city yesterday.

THOS. E. MARROTT, of Sandy, made a hasty trip to the city yesterday.

JOHN THURGOOD, of Bountiful, was bartering in commercial haunts on Saturday.

G. W. CROUCH, of Ashley, has been laying in a stock of goods for winter trade in his locality.

Information Wanted.

For the benefit of the rising generation in particular, it has been suggested that the names of the missionaries, with the most interesting incidents that occurred, while crossing the plains from here to the Missouri River, 1,000 miles, on foot, hauling our provisions and bedding on hand carts, be published in the *Juvenile Instructor*.

Any member who, either from memory, or written memoranda, can furnish a few items that occurred under their own observation, will confer a favor by sending the same to GEO. GODDARD.

251 E. Second South Street, Salt Lake City.

New stock of Ladies' and Children's Hosiery at AUERBACH'S.

GREAT Bargains in Ladies' Misses' and Children's White Goods, at SIMON BROS.

FINEST Raisins we ever had—also new Orange, Lemon and Citron Peel, at G. F. CULMER & BROS.

STRANGER—What is S. M. S? SMOKE—The Finest Nickel Cigar in Utah; to be had at Greenwald's headquarters for fine imported Cigars, four doors south of Postoffice.

BARGAINS in Hosiery, at SIMON BROS.

All Kinds of Coal! James C. & Hugh Watson have opened their coal office in Godbe, Pitts & Co.'s Drug Store, where they will be pleased to furnish ALL KINDS OF COAL in any quantities. Telephone No. 133. CALL AND SEE US.

No better investment can be made than to secure some of the Bargains offered at SIMON BROS.

EXCUSED HILL MONDAY.

The Judge Thinks Mrs. Bassett a Competent Witness.

The recalcitrant witness case before Judge Zane yesterday. Mr. Rawlins asked that Mrs. Bassett, who had refused to testify against her husband, be sworn on her *voire dire*, in order that the question as to her being the legal wife of the defendant might be settled. In his opinion this was the only way in which the matter could be settled.

Mrs. VARIAN objected. He thought that the marriage of the defendant with a former wife was shown, and that she was still living. If the marriage of the witness was before the divorce of the first wife, the Grand Jury wanted to know it, and the court could not go into an investigation of the issue. That remained with the Grand Jury, who could ask any question they pleased, and draw out all the facts connected with any case. The question of the competency of the witness could not be raised before the Grand Jury, but only when the cause came on for trial in the court.

MR. RAWLINS called the attention of the court to the fact that the law said the Grand Jury could only receive legal testimony, and if this witness was not competent they had no right to compel her to testify. The question of her competency as a witness was before the court, and should be determined. That the Grand Jury could not do what the statute said could not be done. It was proposed to show that the witness was the defendant's lawful wife, his former wife having been divorced prior to witness' marriage. This question had been settled by the Territorial Supreme Court, in the case of the United States vs. Barnard White, where it was said that a legal wife was an incompetent witness against her husband, except where an offense had been committed against her. The question of competency could only be settled by the court, and the Grand Jury had nothing to do with its judicial determination.

MR. VARIAN contended that if it was shown that witness was married to defendant January 25th 1886, the Grand Jury had the right to ask whether there had been any prior marriage ceremony.

MR. RAWLINS replied that the law protected the legal wife in all cases, and she was not compelled to be a witness except when a crime had been committed against her. The questions propounded by the Grand Jury implied an understanding on their part that the witness was the defendant's lawful wife, and they had no right to ask what they did. Whenever a witness was called before a court on the issue of the competency of the witness should be determined by the court.

JUDGE ZANE in deciding the case, said that if the witness was the legal wife, and the offense complained was not against her, she would not be a competent witness. If it was against her she would be. The counsel for witness proposed to show that she was the legal wife. It was alleged by the prosecution that the defendant had a wife, from whom he obtained a divorce, and afterward married the witness. The defense claimed that cohabitation prior to the divorce was no crime against the witness; therefore she could not be compelled to testify. In reference to whether the witness occupied the position of lawful wife to the defendant, the grand jury should investigate that, before the questions submitted were again propounded to her. The issue might then come up as to whether she could be compelled to answer.

MR. RAWLINS asked that the Grand Jury be instructed to the effect that if they found the witness to be the lawful wife of the defendant Bassett, she should not be compelled to testify against him.

This request was refused, the judge remarking that she was inclined to believe that the witness was a competent witness.

The jury then returned to their rooms, and Mrs. Bassett was excused until Monday.

Young-Wayman.

In an announcement which appears elsewhere in to-day's HERALD the public are apprised of the union of Phineas Howe Young, son of the late President Brigham and Harriet B. Young, to Miss Maggie Wayman, formerly of Big Cottonwood, but now of this city. The young gentleman is well-known hereabouts and has a wide circle of friends, while the bride is all that could be desired in a life companion and a desirable member of society; she is the daughter of Emanuel Wayman, a citizen of Big Cottonwood. The ceremony was performed in the Logan Temple, and after it was over the parties returned to this city, which they will make their home. We wish them prosperity and happiness.

RELIGIOUS SERVICES.

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS.—Salt Lake Stake of Zion, Angus M. Cannon, president Joseph E. Taylor and Charles W. Penrose, counselors. Services in the Tabernacle at 2 p.m., and in the various Ward meeting houses in the evening.

CHURCH OF FIRST BROS.—Religious services at No. 433 S. Fourth E. at 2 p.m. We invite the lost-sheep of the house of Israel to come and hear for themselves.

CONGREGATIONAL CHURCH.—Rev. J. B. Thrall, pastor. The Rev. Dr. Aubrey, of London, England, will preach at 11 a.m. Sunday school at 12.15. Mrs. F. V. Douglas, of Brooklyn, will lecture on the evils of strong drink at 7.20 p.m. Public welcome.

FIRST PRESBYTERIAN.—Public worship at 11 a.m., and preaching by the Rev. Henry M. Booth, D.D., of Englewood, N. J. Sabbath school at 12.15. Young people's meeting at 4.45. Evening service at 7.30, and preaching by the Rev. David Winter, formerly of Philadelphia, now Pastor of the Presbyterian Church, Williamsport, Pa. Both the above are interesting men. Seats free at all the services, and the public cordially invited.

The Bargain Sales Simon Bros. have inaugurated should be taken advantage of immediately.

Nerve Food.

It gives great power of endurance, leaving no reaction. Bottled by Denhalter & Son.

SIMON BROTHERS have just marked out a lot of goods, which in cheapness and quality excel anything ever offered in this city.

Women Say

Nerve Food is just what they want. Order a dozen from Denhalter & Son. Salt Lake City.